

In the Court of Appeals of the State of Alaska

Michael Carl,

Appellant,

v.

State of Alaska,

Appellee.

Court of Appeals No. **A-12980**

Order

Date of Order: **August 13, 2020**

Trial Court Case No. **3AN-13-06977CR**

The Appellant, Michael Carl, is currently represented by Michael L. Barber, an appointed counsel who is working under contract with the Office of Public Advocacy. Mr. Barber asks this Court to remand this case for a representation hearing. Mr. Barber explains that Mr. Carl is unhappy with Mr. Barber's representation and would like to have his concerns reviewed by a judicial officer.

Mr. Carl may be unhappy with his currently appointed attorney. But in this case, the briefing was completed in January 2020, and there has been no request for oral argument. Practically speaking, Mr. Barber's advocacy role in this appeal is essentially complete. At this stage of the appeal, Mr. Carl — even if he obtains new counsel — cannot without a showing that good cause exists, file new pleadings, raise new claims, or request oral argument.

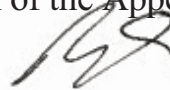
Because of the procedural posture of this appeal, Mr. Carl's expressed unhappiness with his attorney's representation is insufficient to warrant a remand for a representation hearing. If Mr. Carl does not prevail in this appeal, he may at that time challenge his attorney's representation in this appeal by filing an appropriate application for post-conviction relief in the superior court.

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Accordingly, the motion to remand this case for a representation hearing is **DENIED**.

Entered under the authority of Chief Judge Allard.

Clerk of the Appellate Courts



Ryan Montgomery-Sythe,
Chief Deputy Clerk

Distribution:

Email:
Barber, Michael L., Office of Public Advocacy
Blum, Hazel Claire